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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,
22 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR RESPONSE
TO WAYMO'S SUPPLEMENTAL
BRIEF REGARDING HASLIM
TESTIMONY, AND SUPPORTING
EXHIBITS THERETO**

Trial Date: October 2, 2017

1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,
 2 Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for
 3 an order to file under seal the confidential, unredacted versions of the following documents:

- 4 1. Portions of Defendants’ Response to Waymo’s Supplemental Brief Regarding
 5 Haslim Testimony (“Response”);
 6 2. Portions of Exhibit 1 to the Declaration of Michelle Yang in Support of
 7 Defendants’ Response to Waymo’s Supplemental Brief Regarding Haslim Testimony (“Yang
 8 Declaration”);
 9 3. Portions of Exhibit 2 to the Yang Declaration;
 10 4. Portions of Exhibit 3 to the Yang Declaration;
 11 5. Entirety of Exhibit 4 to the Yang Declaration;
 12 6. Portions of Exhibit 5 to the Yang Declaration;
 13 7. Entirety of Exhibit 6 to the Yang Declaration.

14 Some of the redacted portions of the Response, Exhibit 1, Exhibit 3, and Exhibit 5 discuss
 15 Uber’s proprietary and highly confidential technical information for Uber’s custom LiDAR
 16 system. These portions are highlighted in blue on the unredacted copies of the documents. The
 17 design of Uber’s custom LiDAR system is highly confidential, proprietary information which, if
 18 made public, would cause Uber irreparable harm in this very competitive space of autonomous
 19 driving. (Declaration of Michelle Yang In Support of Defendants’ Administrative Motion to File
 20 Documents Under Seal (“Yang Decl.”) ¶¶ 2, 4.) Some portions Defendants’ Response and
 21 Exhibit 1 contain Uber’s confidential and sensitive business organization information, and if this
 22 information were made public, I understand that Uber’s competitive standing could be
 23 significantly harmed. (Yang Decl. ¶ 2.) These portions are also highlighted in blue.

24 Exhibit 4 contains diagrams of Uber’s custom LiDAR system with highly confidential,
 25 proprietary technical information. Exhibit 6 is the testimony of an Uber engineer. Both these
 26 exhibits likewise contain Uber’s proprietary and highly confidential information for Uber’s
 27 custom LiDAR design. If made public, it would cause Uber irreparable harm. (Yang Decl. ¶¶ 3,
 28 4.)

1 Exhibits 3 and 5 also contain highly confidential information about a third party vendor
 2 for Uber's LiDAR, which is also the subject of a non-disclosure agreement. Defendants are
 3 contractually bound to maintain the confidentiality of this third party's confidential information.
 4 If this information were to be released to the public, Defendants' competitors would have access
 5 to detailed information about Defendants' LiDAR design work, and Defendants' competitive
 6 standing could significantly be harmed. (Yang Decl. ¶ 5.)

7 Some of the redacted portions of Defendants' Response, Exhibit 1, Exhibit 2, and Exhibit
 8 5 have been designated by Waymo as either confidential or highly confidential. Waymo's
 9 designations are highlighted in green in the unredacted copies of the documents. (Yang Decl.
 10 ¶ 5.)

11 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
 12 documents at issue, with accompanying chamber copies.

13 Defendants served Waymo with this Administrative Motion to File Documents Under
 14 Seal on May 9, 2017.

15 For the foregoing reasons, Defendants request that the Court enter the accompanying
 16 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
 17 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
 18 ATTORNEYS' EYES ONLY."

19 Dated: May 9 , 2017

MORRISON & FOERSTER LLP

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21 By: /s/Michael A. Jacobs
 MICHAEL A. JACOBS

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23 Attorneys for Defendants
 UBER TECHNOLOGIES, INC.
 and OTTOMOTTO LLC

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